United Nations CRC/C/BRN/CO/2-3

Convention on the Rights of the Child

Distr.: General
24 February 2016

Original: English

Committee on the Rights of the Child

Concluding observations on the combined second and third periodic reports of Brunei Darussalam*

I. Introduction

1. The Committee considered the combined second and third periodic reports of Brunei Darussalam (CRC/C/BRN/2-3) at its 2084th and 2086th meetings (see CRC/C/SR.2084 and 2086), held on 21 January 2016, and adopted the following concluding observations at its 2104th meeting (see CRC/C/SR.2104), held on 29 January 2016.

2. The Committee welcomes the submission of the combined second and third periodic reports of the State party and the written replies to the list of issues (CRC/C/BRN/Q/2-3/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the State party's ratification of or accession to the following instruments:

(a) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2006;

(b) Convention on the Elimination of All Forms of Discrimination against Women, in 2006;

(c) International Labour Organization Minimum Age Convention, 1973 (No. 138), in 2011.

4. The Committee notes with appreciation the adoption of the following legislative measures:

(a) Children and Young Persons Act (Cap. 219), in 2006;

(b) Childcare Centres Order (Cap. 218), in 2006;

* Adopted by the Committee at its seventy-first session (11-29 January 2016).

Please recycle

(c) Compulsory Education Order, in 2007.

5. The Committee also welcomes the following policy measures:

(a) Health Promotion Blueprint 2011-2015;

(b) National Education System for the Twenty-first Century (SPN21) and Strategic Plan 2012-2017;

(c) Plan of Action on the Family Institution and Women;

(d) Child Online Protection National Strategy Framework, in 2013.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (6))

Committee's previous recommendations

6. **The Committee recommends that the State party take all measures necessary to address its previous recommendations made in 2003 (see CRC/C/15/Add.219) that have not been implemented or not sufficiently implemented, in particular those related to independent monitoring structures (ibid., para. 17), data collection (para. 19), definition of the child (para. 23), birth registration (para. 34), nationality (para. 36), corporal punishment (para. 38) and children in conflict with the law (para. 56).**

Reservations

7. The Committee notes the partial withdrawal by the State party of its reservations to articles 20 (1) and (2) and 21 (a) of the Convention. It is, however, concerned that the State party maintains its reservations to articles 14, 20 (3) and 21 (b)-(e).

8. **The Committee, in line with its previous recommendations (see CRC/C/15/Add.219, para. 5) and in the light of the Vienna Declaration and Programme of Action of the World Conference on Human Rights (1993), encourages the State party to accelerate the review process with a view to withdrawing its reservations to articles 14, 20 (3) and 21 (b)-(e) of the Convention.**

Legislation

9. The Committee is deeply concerned about the State party's restrictive interpretation of Sharia law and about the adverse impact on human rights in general, and on children's rights in particular, of the recently adopted the Syariah Penal Code Order 2013, which, under its second and third phases of implementation, will impose capital punishment, hand-cutting and whipping of children for several crimes.

10. **The Committee urges the State party to:**

(a) **Review without delay the new Syariah Penal Code Order 2013, with a view to repealing its direct and indirect discriminatory provisions affecting children;**

(b) **Compile information on best practices of States parties with similar legal systems and cultural and religious backgrounds, where more progressive interpretations of Islamic law have been codified in legislative reforms;**

(c) **Undertake law reform to eliminate all discrimination against children, including through partnerships and collaboration with Islamic legal research institutions, children's non-governmental organizations and community leaders;**

(d) **Allocate sufficient human, technical and financial resources for the full dissemination of child-related laws and develop institutional capacity for their effective implementation.**

Comprehensive policy and strategy

11. The Committee welcomes the adoption of the long-term development framework under "Wawasan Brunei 2035" (Brunei Vision 2035), which sets out eight strategies relating to various sectors. However, the Committee is concerned at the absence of a specific comprehensive policy and strategy on children's rights that encompasses all areas covered by the Convention.

12. **The Committee recommends that the State party prepare a comprehensive policy on children that encompasses all areas covered under the Convention and, on the basis of that policy, develop a strategy that includes the elements necessary for its implementation and that is supported by sufficient human, technical and financial resources.**

Coordination

13. The Committee notes the establishment in 2008 of the National Council on Social Issues under the Ministry of Culture, Youth and Sports, which coordinates children's issues at the interministerial level. However, the Committee is concerned about the lack of information on the monitoring of the implementation of the rights of the child under the Convention, as well as on the resources allocated to the Council to ensure its effective operation.

14. **The Committee recommends that the State party ensure that the National Council on Social Issues is provided with a clear mandate and the human, technical and financial resources necessary for its effective operation, including monitoring of the implementation of the rights of the child under the Convention.**

Data collection

15. The Committee remains concerned at the lack of reliable disaggregated data necessary for the effective evaluation of the implementation of the Convention. It is also concerned at the lack of coordination and collaboration among government agencies in data collection and the inadequate technical capabilities for data collection, analysis and reporting.

16. **In the light of its general comment No. 5 (2003) on general measures of implementation, the Committee urges the State party to expeditiously improve its data collection system. The data should cover all areas of the Convention and should be disaggregated by, inter alia, age, sex, disability, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children, particularly those in situations of vulnerability. Furthermore, the Committee recommends that the data and indicators be shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention. In that context, the Committee also recommends that the State party take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) entitled "Human rights indicators: a guide to measurement and implementation" when defining, collecting and disseminating statistical information and that it strengthen its technical cooperation with, inter alia, the United Nations Children's Fund (UNICEF) and regional mechanisms.**

Independent monitoring

17. The Committee remains concerned that no progress has been made towards the establishment of an independent monitoring mechanism with a mandate to receive and investigate complaints from children.

18. **In the light of its general comment No. 2 (2002) on the role of independent human rights institutions and its previous recommendations (see CRC/C/15/Add.219, para. 17), the Committee recommends that the State party expedite the establishment of a national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). To that end, the Committee recommends that the State party seek technical cooperation from, inter alia, OHCHR and UNICEF.**

Dissemination, awareness-raising and training

19. The Committee notes the efforts made by the State party in disseminating the Convention though training, road shows at schools, media programmes and talks held with villages and community bodies. However, the Committee remains concerned that general awareness of the Convention remains low, in particular in rural areas and among children in vulnerable situations.

20. **The Committee reiterates its previous recommendations (see CRC/C/15/Add.219, para. 21) and urges the State party to strengthen its efforts to disseminate the Convention and sensitize the public in general and children in particular about the rights of children, including those in rural areas and in vulnerable situations; undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children and seek technical assistance from, inter alia, OHCHR, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO).**

Cooperation with civil society

21. The Committee notes the State party's efforts to strengthen its cooperation with the civil society. It is, however, concerned that coordination remains weak, limiting the participation of non-governmental organizations in the formulation and monitoring of policies and strategies for the implementation of the Convention.

22. **The Committee calls upon the State party to systematically involve communities and civil society, including non-governmental and children's organizations, in the planning, implementation, monitoring and evaluation of all State-supported policies, plans and programmes relating to children's rights.**

B. Definition of the child (art. 1)

23. The Committee remains deeply concerned at the very low minimum age for marriage, which is 14 under customary law, 15 for ethnic Chinese girls and not expressly defined for Muslims.

24. **The Committee urges the State party to review and amend its legislation to set the minimum age for marriage to 18 for both boys and girls, regardless of their ethnic and/or religious group.**

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

25. While noting the State party's efforts to combat discrimination, the Committee reiterates its previous concern (see CRC/C/15/Add.219, para. 24) that discrimination against certain groups of children, particularly girls, children with disabilities, children belonging to ethnic and religious minorities, lesbian, gay, bisexual, transgender and intersex children and stateless children, still exists in practice.

26. **The Committee urges the State party to adopt a comprehensive strategy, including awareness-raising, for the elimination of gender stereotypes and of de jure and de facto discrimination against all groups of children in marginalized and disadvantaged situations, as well as girls, and ensure the implementation of all legal provisions in full compliance with article 2 of the Convention.**

Best interests of the child

27. The Committee welcomes the explicit inclusion of the principle of the best interests of the child in the Children and Young Persons Order 2006. The Committee is, however, concerned that despite that legal recognition, the right of the child to have his or her best interests taken into account as a primary consideration is not adequately and systematically interpreted or applied by administrative, legislative and judicial bodies.

28. **In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:**

(a) **Strengthen its efforts to ensure that that right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to and have an impact on children;**

(b) **Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.**

Respect for the views of the child

29. While noting the positive steps taken by the State party to implement the principle of respect for the views of the child, such as the adoption of specific provisions (sect. 49) in the Children and Young Persons Order 2006, the Committee remains concerned about the lack of information regarding the practical implementation of the right of the child to express his or her views in judicial and administrative proceedings as well as to participate in the formulation and implementation of policies and programmes affecting him or her.

30. **In the light of its general comment No. 12 (2009) on the right of the child to be heard, the Committee urges the State party to:**

(a) **Ensure the incorporation of that right into all laws, policies and programmes relating to children, particularly regarding education, health care, the family environment, alternative care and the administration of justice;**

(b) **Guarantee that children are actively consulted and involved in the formulation and implementation of policies and programmes affecting them, and pay particular attention to the active involvement of children in vulnerable situations, including children with disabilities, minority children and stateless children;**

(c) **Develop awareness-raising programmes, including campaigns and the training of professionals working with or for children, to promote the meaningful and empowered participation of all children in judicial proceedings, in the school, the community, the family and alternative care settings.**

D. Civil rights and freedoms (arts. 7, 8 and 13-17)

Birth registration

31. The Committee remains concerned that, despite measures taken by the State party to ensure the registration at birth of all children, there are considerable disparities in birth registration in rural and urban areas, and that children in migration circumstances, including irregular migration, as well as children in Kampong Ayer (the "water village"), are not always registered at birth.

32. **The Committee reiterates its previous recommendation (see CRC/C/15/Add.219, para. 34) and urges the State party to intensify its efforts in taking all the measures necessary to ensure the registration at birth of all children in both rural and urban areas; children in migration circumstances, including irregular migration; and children in Kampong Ayer.**

Nationality

33. The Committee remains concerned that, according to the Brunei Nationality Act (Cap. 15), children of Bruneian women married to foreign nationals may be accorded Brunei nationality only upon application, while the children of Bruneian fathers are granted Brunei citizenship automatically. While welcoming the steps taken by the State party to naturalize a number of stateless children between 2009 and 2012, the Committee is concerned at the lack of awareness among the parents and guardians of stateless children with regard to the need to register their children as citizens, according to the Brunei Nationality Act.

34. **The Committee urges the State party to:**

(a) **Review the Brunei Nationality Act and other relevant legislation relating to nationality to ensure that Bruneian women can transfer nationality automatically to their children;**

(b) **Strengthen measures to naturalize stateless children and conduct awareness-raising campaigns among parents and guardians of stateless children.**

Freedom of thought, conscience and religion

35. The Committee is deeply concerned that the State party imposes several measures limiting the observance of religions other than Islam, prohibiting public celebration of Christmas, Chinese New Year and other festivities and providing for prosecution measures under section 209 (1) of the Syariah Penal Code, which constitute undue limitations on the right to freedom of thought, conscience and religion of children and disproportionally affect children belonging to religious minorities. The Committee is also concerned that Islamic religious knowledge is taught as a mandatory subject in all schools and that children of other religions cannot be exempted from that course.

36. **The Committee urges the State party to amend its national legislation in order to effectively guarantee the right to freedom of thought, conscience and religion of children of all beliefs and take all measures necessary, including awareness-raising and public education campaigns, to combat intolerance on the grounds of religion or belief, promote religious dialogue in society, ensure that religious teachings promote**

tolerance and understanding among children of all communities and religious and non-religious backgrounds and combat every kind of social pressure on children to adhere to the rules of a religion with which they are not affiliated. The Committee also urges the State party to revise its school curricula in order to exempt children belonging to religions other than Islam from the mandatory course on Islamic religious knowledge.

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Sexual abuse and violence

37. The Committee is concerned about the lack of segregated data on the sexual abuse of and violence against children in the State party.

38. **The Committee recommends that the State party collect disaggregated data about the sexual abuse of and violence against children, including the number of complaints, reports to the police, investigations, prosecutions, sentences and sanctions.**

Corporal punishment

39. The Committee notes the information provided by the State party that the corporal punishment of children has been prohibited in schools. However, the Committee remains concerned about the persistence of that practice in families, schools and institutions, in particular by school headmasters and principles, in alternative care settings and penal institutions and as a sentence for crimes.

40. **In the light of its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, in which the Committee underlined that all forms of violence against children, however light, are unacceptable and that the prerogatives of parents should in no way undermine the right of children to be protected from corporal punishment, the Committee urges the State party to:**

(a) **Explicitly prohibit corporal punishment in all settings;**

(b) **Ensure that laws prohibiting corporal punishment in schools are implemented effectively and that legal proceedings are systematically initiated against those who inflict corporal punishment;**

(c) **Introduce sustained public education, awareness-raising and social mobilization programmes, involving children, families, communities and religious leaders, on the harmful physical and psychological effects of corporal punishment with a view to changing the general attitude towards that practice, and promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment;**

(d) **Ensure the involvement and participation of the whole society, including children, in the design and implementation of preventive strategies with regard to the corporal punishment of children.**

Harmful practices

41. The Committee is deeply concerned at the persistence of the practice of female circumcision, which is not regarded by the State party as a form of female genital mutilation. The Committee is also concerned that that practice is prohibited and prosecuted only in its severe form (see Penal Code, Cap. 22) and that a large number of girls are victims of female circumcision/female genital mutilation.

42. **In line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014), the Committee urges the State party to:**

(a) **Fully adopt legislation to fully prohibit and criminalize the practice of female genital mutilation, including female circumcision and cutting, in all its forms;**

(b) **With the full participation of civil society and women and girls who are victims of female genital mutilation, set up awareness-raising campaigns and educational programmes on the harmful impact of female genital mutilation on the physical and psychological health of the girl child and ensure that those campaigns and programmes are systematically and consistently mainstreamed and target all segments of society, both women and men, government officials, families and all religious and community leaders;**

(c) **Provide physical and psychological recovery programmes for victims of female genital mutilation, as well as establish reporting and complaint mechanisms accessible to girls who have been victims or fear becoming victims of the practice.**

43. The Committee is deeply concerned about the high prevalence of child marriages among girls and about the negative effects of such marriages on young girls.

44. **The Committee urges the State party to take effective measures to prevent and combat the practice of child marriage, including all necessary legislative measures, as well as to develop awareness-raising campaigns and programmes on the harmful effects of early marriage on the physical and mental health and well-being of girls, targeting households, local authorities, religious leaders, judges and prosecutors.**

F. Family environment and alternative care (arts. 5, 9-11, 18 (1 and 2), 20, 21, 25 and 27 (4))

Family environment

45. The Committee is gravely concerned that insufficient measures have been taken to change the prevalent gender stereotypes concerning the tasks and roles of women and girls in the family, and to eradicate norms and practices that discriminate against women and girls, such as the penalty of death by stoning for several "crimes", in particular adultery and extramarital relations (*zina*), as well as polygamy, a practice that affects children negatively.

46. **The Committee urges the State party to:**

(a) **Take measures, including amendments to laws and awareness-raising campaigns, to ensure that mothers and fathers equally share the parental responsibility for their children in accordance with article 18 (1) of the Convention;**

(b) **Revise without delay the Syariah Penal Code Order 2013 and ensure that all provisions that discriminate against women and girls and have a negative impact on their children, such as those that authorize polygamy and the penalty of death by stoning, are eliminated.**

Children deprived of a family environment

47. The Committee notes the introduction of the temporary foster care scheme, which provides for the placement of children deprived of a family environment with a foster family. It is, however, concerned about the lack of information on the implementation of

the scheme as well as about the lack of an independent complaint mechanism for children in care.

48. **The Committee recommends that the State party:**

(a) **Support and facilitate family-based care for children wherever possible, with a view to reducing the institutionalization of children;**

(b) **Ensure the periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing channels, accessible to children, for reporting, monitoring and remedying the maltreatment of children;**

(c) **Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible.**

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1-3) and 33)

Children with disabilities

49. While noting with appreciation the establishment of the Special Committee on Persons with Disabilities and the Elderly, chaired by the Minister of Culture, Youth and Sports, the Committee is concerned:

(a) At the lack of reliable disaggregated data on children with disabilities in the State party;

(b) At the absence of specific information on initiatives and programmes for the rehabilitation and reintegration of children with disabilities, particularly those children suffering from multiple and intersecting forms of discrimination;

(c) At the fact that a number of children with disabilities are deprived of education and that most schools are not accessible to such children and do not provide inclusive education.

50. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **Establish a system for the collection of data on children with disabilities focusing on types of disability, in order to facilitate the formulation, development and implementation of relevant policies and programmes;**

(b) **Develop an efficient system for the early detection and diagnosis of disability, and put in place appropriate policies and programmes for children with disabilities, including rehabilitation and reintegration programmes for children suffering from multiple and intersecting forms of discrimination;**

(c) **Ensure that all children with disabilities have access to education, give priority to inclusive education in mainstream schools over special schooling and allocate adequate human, financial and technical resources for schools to effectively strengthen inclusive education;**

(d) **Consider ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.**

Health and health services

51. The Committee is concerned at the shortage of qualified local health personnel in the State party, which has a negative impact on the health of children.

52. **The Committee draws the State party's attention to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and recommends that the State party allocate sufficient financial and human resources to health services, particularly child health and nutrition, providing effective access to trained and qualified health-care personnel.**

Adolescent health

53. The Committee is deeply concerned at the criminalization of abortion. The Committee is also concerned at the absence of sexual and reproductive health education and services.

54. **In the light of its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, the Committee urges the State party to:**

(a) **Decriminalize abortion in all circumstances and review its legislation with a view to ensuring adolescents' access to safe abortion and post-abortion care services. The view of the girl should always be heard and respected in abortion decisions;**

(b) **Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention to preventing early pregnancy and sexually transmitted infections;**

(c) **Develop and implement a policy to protect the rights of pregnant girls and adolescent mothers and their children and combat discrimination against them.**

55. While noting the adoption of the Mental Health Order 2014, which regulates the care and welfare of persons with mental health issues, the Committee reiterates its previous concern (see CRC/C/15/Add.219, para. 45) about the lack of available information on adequate access for adolescents to mental health counselling services.

56. **The Committee recommends that the State party take measures to ensure that adolescents have access to mental health counselling services.**

57. While noting the State party's initiatives to combat child obesity, such as school programmes promoting health, the Committee is concerned about the prevalence of obesity among children in the State party.

58. **The Committee recommends that the State party intensify its efforts in combating child obesity.**

H. Education, leisure and cultural activities (arts. 28-31)

Education, including vocational training and guidance

59. The Committee welcomes the adoption of the Compulsory Education Order 2007, which provides for nine years of compulsory education for all children in the State party. However, it is concerned that the human rights education provided in school curricula by the State party, in particular on children's rights, is not sufficient.

60. **Building on its previous recommendations (see CRC/C/15/Add.219, para. 50) and in the light of its general comment No. 1 (2001) on the aims of education, the Committee urges the State party to:**

(a) **Provide in its next periodic report updated disaggregated data on the educational choices of children;**

(b) **Include education on human rights, in particular children's rights, in school curricula on the development of and respect for human rights, tolerance and gender equality and religious and ethnic minorities.**

Rest, leisure, recreation and cultural and artistic activities

61. The Committee is concerned at the limited number of leisure, recreational and cultural facilities for children of all ages, including playgrounds and sports facilities.

62. **In the light of its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (art. 31), the Committee reminds the State party of the right of children to rest, leisure and cultural activities and recommends that it allocate all necessary human, technical and financial resources to initiatives that promote and facilitate children's playtime and other self-organized activities in public places, schools and children's institutions and at home.**

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)

Stateless and unaccompanied children

63. The Committee notes with appreciation the State party's efforts towards the naturalization and assimilation of a large number of stateless permanent residents. It is, however, concerned at the lack of disaggregated data available on the number of stateless persons, including the number of stateless children. The Committee is also concerned that barriers remain for the naturalization of the majority of stateless persons, in particular stateless children, in the State party.

64. **In line with its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:**

(a) **Provide birth registration and access to basic rights, such as health and education, to all stateless children and their families on the State party's territory, irrespective of their legal status;**

(b) **Establish a comprehensive and systematic mechanism for the collection of data on stateless children and ensure that the data are disaggregated by, inter alia, sex, age, national and ethnic origin, geographical location, rural or urban residence and minority or socioeconomic status;**

(c) **Consider acceding to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Economic exploitation, including child labour

65. While noting the adoption of the Employment Order 2009, setting the minimum age for employment at 16 years and at 14 years for light work, the Committee is concerned at the absence of a list of hazardous work in which children should not be involved.

66. **The Committee urges the State party to enforce its national legislation to ensure that child labour, including in the informal sector and in family businesses, is in full compliance with international standards in terms of age, working hours, working conditions, education and health, as well as to ensure the full protection of children against all forms of sexual, physical and psychological harassment. The Committee also recommends that the State party:**

(a) **Explicitly prohibit the employment of children in hazardous work, including exploitative domestic work, and revise the relevant provisions of the Employment Order 2009, as well as establish a list of hazardous work in which children should not be involved;**

(b) **Strengthen the implementation of labour laws by establishing labour inspections, including in the informal sector, and ensuring that anyone violating legislation on child labour is held accountable.**

Sale, trafficking and abduction

67. The Committee is concerned at the lack of a proactive system for the identification of victims of trafficking, especially among vulnerable groups such as children in prostitution. The Committee is also concerned that the use of children for prostitution and the procurement or offering of a child for pornography are not explicitly criminalized.

68. **The Committee recommends that the State party:**

(a) **Establish a comprehensive and systematic mechanism for the collection of data on the sale, trafficking and abduction of children, and ensure that the data are disaggregated by, inter alia, sex, age, national and ethnic origin, geographical location, rural or urban residence, minority and socioeconomic status, with particular attention to children in the most vulnerable situations;**

(b) **Explicitly prohibit the use of children in prostitution, procurement and pornography and prosecute and punish perpetrators;**

(c) **Conduct awareness-raising activities to make parents and children aware of the dangers of both internal and external trafficking;**

(d) **Further strengthen its cooperation with South Asian countries to combat trafficking in children across States, including through the conclusion of bilateral and multilateral agreements.**

Administration of juvenile justice

69. The Committee reiterates its previous concern (see CRC/C/15/Add.219, para. 55) that the minimum age of criminal responsibility is very low (7 years). The Committee also remains deeply concerned that no progress has been made towards the abolishment of the sentence of whipping for boys. Furthermore, the Committee is concerned at the lack of adequate training for probation officers working with children.

70. **In the light of its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:**

(a) **Raise without delay the minimum age of criminal responsibility to an internationally acceptable standard;**

(b) **Abolish the sentence of whipping/flogging for boys;**

(c) Ensure that staff working with children, in particular probation officers, specialized judges, legal representatives and social workers, are provided with appropriate training;

(d) Make use of the technical assistance tools developed by the Inter-Agency Coordination Panel on Juvenile Justice and its members, including the United Nations Office on Drugs and Crime, UNICEF, OHCHR and non-governmental organizations, and seek technical assistance in the area of juvenile justice from the members of the Panel.

J. Ratification of the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on a communications procedure

71. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol on a communications procedure.**

K. Ratification of international human rights instruments

72. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the core human rights instruments to which it is not yet a party, namely, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the two Optional Protocols thereto, the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol thereto, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities.**

L. Cooperation with regional and international bodies

73. **The Committee recommends that the State party cooperate with, inter alia, the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children.**

IV. Implementation and reporting

A. Follow-up and dissemination

74. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined second and third periodic reports, the written replies to the list of issues of the State party**

and the present concluding observations be made widely available in the languages of the country.

B. Next report

75. **The Committee invites the State party to submit its combined fourth to sixth periodic reports by 25 June 2021 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

76. **The Committee also invites the State party to submit a core document, not exceeding 42,400 words, in accordance with the requirements for the common core document in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and General Assembly resolution 68/268 (para. 16).**